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F] 650-833-2001**FAX TRANSMISSION COVER SHEET**

May 20, 2004

**To:** **U.S. Patent and Trademark Office**  
**Attn.: Examiner Holmes**

**Telephone:** **1-703-308-6280**

**Fax Number:** **1-703-746-5423**

**From:** Timothy W. Lohse  
650-833-2055

**Attorney Docket Number:** 1040659-991101

**Re:** U.S. Patent Application:  
Serial No.: 09/805,646  
Examiner: Michael B. Holmes  
Title: AUTOMATED PROCESS GUIDANCE SYSTEM

**Filing Date:** March 13, 2001  
**Art Unit:** 2121

**Pages:** - 19 - (including this form) **Originals:** ☐ will be mailed ☒ will not be mailed

**If there is a problem with this transmission, please call (650) 833-1548**  
**Fax Operator/Ext.**

**Message:**

Attached are a cover letter from Timothy Lohse and copies of the following documents:

1. Transmittal Form;
2. Fee Transmittal;
3. Response to Office Action;
4. Information Disclosure Statement;
5. Check; and
6. Stamped return postcard listing the above documents;

I hereby certify that this correspondence is being facsimile transmitted to the United States  
Patent and Trademark Office, Attention Examiner Holmes, at Fax No. 703-746-5423 on May 20, 2004

Cathy Pittman  
Cathy Pittman

**CONFIDENTIALITY NOTICE**

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

(Form Rev. 8/5/00)

Gray Cary\EM7166346.1

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O] 650-833-2055  
F] 650-833-2001

May 20, 2004  
VIA FACSIMILE - 703-746-5423

OUR FILE NO. 1040859-991101

Examiner Holmes  
United States Patent and Trademark Office

Re: Submission of Response to Office action dated August 26, 2003  
U.S. Patent Application Serial No. 09/805,646

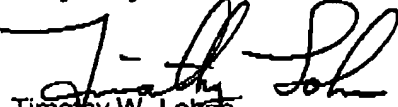
Dear Examiner Holmes:

Per your request, attached are true and correct copies of the following documents that were submitted by myself on November 26, 2003 via first class mail in response to an office action mailed on August 26, 2003:

- 1) a transmittal form (with a signed certificate of first class mailing);
- 2) a fee transmittal;
- 3) a response to the office action (with a signed certificate of first class mailing);
- 4) an Information Disclosure Statement (with a signed certificate of first class mailing);
- 5) a check in the amount of \$180; and
- 6) a return postcard listing the above documents and stamped by the US Patent Office indicating receipt of the above documents on December 1, 2003.

Very truly yours,

Gray Cary Ware & Freidenrich LLP



Timothy W. Lohse  
tlohse@graycary.com

TWL:twl  
Enclosures  
Gray Cary\EM7166341.1  
1040859-991101

PTO/SB/21 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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|   |                        |                    |
|---|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 09/805,646         |
|   | Filing Date            | March 13, 2001     |
|   | First Named Inventor   | Mark Grimse et al. |
|   | Art                    | 2121               |
|   | Examiner               | Michael B. Holmes  |
| Total Number of Pages in This Submission  | Attorney Docket Number | 1040659-991101     |

NOT AVAILABLE COPY

| ENCLOSURES (Check all that apply)  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below):<br>13 References<br>Return Postcard |
| Remarks<br>The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed.<br>Customer No. 26379  |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual                         | Timothy W. Lohse, Reg. No. 36,255<br>Gray Cary Ware & Freidenrich LLP |
| Signature                                  | <i>[Signature]</i>  |
| Date                                       | November 26, 2003   |

| CERTIFICATE OF TRANSMISSION/MAILING   |                    |
|---|--------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                    |
| Typed or printed  | Kathleen LaBrie    |
| Signature   | <i>[Signature]</i> |
| Date  | November 26, 2003  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. . Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL**  
**for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 180.00

**Complete if Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/805,648         |
| Filing Date          | March 13, 2001     |
| First Named Inventor | Mark Grimse et al. |
| Examiner Name        | Michael B. Holmes  |
| Art Unit             | 2121               |
| Attorney Docket No.  | 1040659-991101     |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
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Gray Cary Ware &amp; Freidenrich LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity      |          | Small Entity |          | Fee Description        | Fee Paid |
|-------------------|----------|--------------|----------|------------------------|----------|
| Fee Code          | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001              | 770      | 2001         | 385      | Utility filing fee     |          |
| 1002              | 340      | 2002         | 170      | Design filing fee      |          |
| 1003              | 530      | 2003         | 265      | Plant filing fee       |          |
| 1004              | 770      | 2004         | 385      | Reissue filing fee     |          |
| 1005              | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) (\$) |          |              |          |                        | 0.00     |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |   |         |   |   |  |   |      |
|--------------------|---|---------|---|---|--|---|------|
| Total Claims       | 9 | -20** = | 0 | x |  | = | 0.00 |
| Independent Claims | 3 | -3** =  | 0 | x |  | = | 0.00 |
| Multiple Dependent |   |         |   |   |  |   |      |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 88       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 280      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 88       | 2204         | 43       | ** Reissue Independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code                          | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|-----------------------------------|----------|----------|----------|--|----------|
| 1051                              | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052                              | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                              | 130      | 1053     | 130      | Non-English specification  |          |
| 1812                              | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804                              | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                              | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251                              | 110      | 2251     | 55       | Extension for reply within first month                                     |          |
| 1252                              | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253                              | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254                              | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255                              | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401                              | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402                              | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403                              | 280      | 2403     | 145      | Request for oral hearing   |          |
| 1451                              | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452                              | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453                              | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501                              | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502                              | 480      | 2502     | 240      | Design issue fee   |          |
| 1503                              | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460                              | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807                              | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  | 180.00   |
| 1808                              | 180      | 1808     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021                              | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809                              | 770      |          |          |  |          |
|                                   |          | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                              | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                              | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802                              | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |          |          |          |  |          |
| *Reduced by Basic Filing Fee Paid |          |          |          |  |          |
| SUBTOTAL (3) (\$)                 |          |          |          |  | 180.00   |

**SUBMITTED BY**

Name (Print/Type)

Timothy W. Lohse

Registration No.  
(Attorney/Agent)

35,255

(Complete if applicable)

Telephone 650-833-2000

Signature

[Signature]

Date

November 26, 2003

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05/20/04 11:02 FAX 650 833 2001

GRAY CARY

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Mailing Date: November 26, 2003  
U.S. Serial No.: 09/805,646  
Filing Date: March 13, 2001  
Title: Automated Process Guidance System And Method

## Enclosed are:

- 1) Transmittal Form (in duplicate);
- 2) Fee Transmittal (in duplicate);
- 3) Response to Office Action;
- 4) Information Disclosure Statement w/ PTO Form/SB/08a & b;
- 5) Thirteen (13) references;
- 6) Certificate of first class mailing;
- 7) Return Postcard.

1040659-991101 (Kadiri Inc.)  
TWL / 12074 / kj

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Mailing Date: November 26, 2003  
U.S. Serial No.: 09/805,646  
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